Honda of America Mfg., Inc. *and* International Union, United Automobile, Aerospace and Agricultural Implement Workers of America (UAW). Case 8-CA-13947

March 8, 1982

DECISION AND ORDER

BY MEMBERS FANNING, JENKINS, AND ZIMMERMAN

On October 19, 1981, Administrative Law Judge Thomas D. Johnston issued the attached Decision in this proceeding. Thereafter, the Respondent filed exceptions and a supporting brief, and the Charging Party and the General Counsel filed briefs in support of the Administrative Law Judge's Decision.

Pursuant to the provisions of Section 3(b) of the National Labor Relations Act, as amended, the National Labor Relations Board has delegated its authority in this proceeding to a three-member panel.

The Board has considered the record and the attached Decision in light of the exceptions and briefs and has decided to affirm the rulings, findings, and conclusions of the Administrative Law Judge and to adopt his recommended Order.

ORDER

Pursuant to Section 10(c) of the National Labor Relations Act, as amended, the National Labor Relations Board adopts as its Order the recommended Order of the Administrative Law Judge and hereby orders that the Respondent, Honda of America Mfg., Inc., Marysville, Ohio, its officers, agents, successors, and assigns, shall take the action set forth in the said recommended Order.

DECISION

STATEMENT OF THE CASE

THOMAS D. JOHNSTON, Administrative Law Judge: This case was heard in Marysville, Ohio, on July 15, 1981, pursuant to a charge filed by the International Union, United Automobile, Aerospace and Agricultural Implement Workers of America (UAW), on June 23, 1980,[1] and a complaint issued on October 10.

The complaint, which was amended at the hearing, alleges that Honda of America Mfg., Inc. (herein called the Respondent), violated Section 8(a)(1) of the National Labor Relations Act, as amended (herein called the Act), by unlawfully promulgating and maintaining a rule[2] concerning the wearing of uniforms and maintained and enforced said rule selectively and disparately by prohibiting an employee from wearing a hat with a union emblem during working and nonworking time, thereby interfering with, restraining, and coercing its employees in the exercise of their rights guaranteed them by Section 7 of the Act.

The Respondent in its answer served on October 18 denies having violated the Act. It further contends the rule was promulgated about June 25, 1979, rather than on the date alleged and that it has maintained its work rules in a uniform and consistent manner.

The issues involved are whether the Respondent violated Section 8(a)(1) of the Act by promulgating and maintaining an unlawful uniform rule and whether it unlawfully enforced said rule selectively and disparately against an employee for wearing a union hat during working and nonworking time.

Upon the entire record in this case and from my observations of the witnesses and after due consideration of the briefs filed by counsel, I hereby make the following:

FINDINGS OF FACT

I. THE BUSINESS OF THE RESPONDENT

The Respondent is an Ohio corporation with its facility located in Marysville, Ohio, is engaged in the business of the manufacture and sale of motorcycles. During the course of its operation the Respondent annually ships goods valued in excess of $50,000 directly from its Marysville, Ohio, facility to points located outside the State of Ohio.

The Respondent is an employer engaged in commerce within the meaning of Section 2(6) and (7) of the Act.

II. THE LABOR ORGANIZATION INVOLVED

International Union, United Automobile, Aerospace and Agricultural Implement Workers of America (UAW), is a labor organization within the meaning of Section 2(5) of the Act.

III. THE UNFAIR LABOR PRACTICES

A. Background

The Respondent operates a plant in Marysville, Ohio, where it is engaged in the manufacture and sale of motorcycles. Honda Motor of Japan owns 20 percent of its shares and the remaining shares are owned by the Respondent. This is the only Honda manufacturing facility in the United Scates.

The plant employs approximately 400 employees, including about 40 office and managerial type employees. They are not represented by any labor organization. Included among its official and supervisory personnel are Executive Vice President and Plant Manager Shige Yoshida, Personnel Associate Relations Manager Allen Kinzer, Foreman Eugene Fryman, and Manufacturing Manager Robert Muth.[3]

The main plant building, which also contains a cafeteria, is approximately 250,000 square feet in size and there is a boilerroom located in a separate building.

[1] All dates referred to are in 1980, unless otherwise stated.

[2] The rule is set out, *infra*.

[3] These individuals are supervisors under the Act.

B. *Rule on Wearing Uniforms*

Since the Respondent began hiring employees in April 1979, it has maintained a policy regarding the wearing of uniforms. This policy, which is contained in a book of rules dated August 13, 1979, and issued to newly hired employees, is as follows:

UNIFORMS

> Honda of America, Mfg. will supply and service, free of any charge to all Associates, work uniforms to be worn while working in the plant. In addition, personal lockers and shower facilities are also provided within the plant. The following are some reasons why these uniforms must be worn at all times while in the plant during working time.
>
> Due to the very nature of our product, there can be no exposed buttons, snaps, zippers, pins, belt buckles, etc. Honda is very proud of the reputation for quality products and cannot jeopardize quality in our operations.
>
> Honda believes in providing excellent working conditions for all Associates. We must all constantly strive to maintain a clean and safe place to work. We want everyone to be proud of our working environment when visitors, customers and dealers tour our plant. We believe everyone being dressed in white will project a favorable image of cleanliness to anyone visiting our plant.

Matthew Holtzapfel, who was hired on December 5, 1979, stated that, during his orientation, Assistant Personnel Manager Leon Nicols informed the employees of this rule and told them if they wore watches, rings, or large belt buckles to try to be careful and not scratch any of the motorcycles or parts for them.

Under this rule all of the Respondent's employees including its officials, supervisory, and office personnel are required to wear uniforms at work. These uniforms, which are both furnished and kept laundered by the Respondent, are white in color and consist of either overalls, smocks, or a combination of pants and jackets. On the front portion of the uniforms the words "Honda of America" are on the top left side and on the opposite side of the front are the names of the persons wearing them. All of the buttons except for those on the long sleeve jacket which are exposed are covered by cloth so that they are not exposed. White belts made of soft leather with soft leather buckles are also furnished as part of the uniform. However, they are normally covered by the jackets worn over them.

According to Executive Vice President Yoshida, who devised the rule, no adornments are allowed to be added to the uniforms. The uniform rule also applies to the cafeteria and breaktime.

Yoshida denied the rule applied to hats. Except for employees being required to wear hard type hats to protect themselves from head injury in certain areas where they work, the other employees are not required to wear hats. However, for those employees who desire to wear hats the Respondent furnishes them with hats which Yoshida stated they believe is the hat they should wear.

These hats are made of cloth and resemble baseball type caps with a visor. They are green in color except for a white colored design along each side and have the name "Honda" printed across the front in white letters approximately three-fourths of an inch in size.

Yoshida explained the reasons for having the rule are to help create team work; show and maintain the Honda quality image and cleanliness of the work area; use as a company identity; and to prohibit wearing anything that might cause damage to the products or parts. Further, visitors to the plant such as distributors, customers, and local people could observe employees wearing uniforms which would help present a good quality image to them.

Other policies in effect at the plant which Yoshida contends along with the uniform rule creates team work and the Honda image consist of having a common cafeteria, one locker room for all employees, and no reserved parking spaces for their vehicles.

Yoshida estimated Honda and its affiliated companies employ approximately 40,000 employees worldwide including about 23,000 employees in Japan. Some, but not all of these employees are represented by labor organizations. While Yoshida initially testified every Honda plant had this policy concerning the wearing of uniforms, he acknowledged under cross-examination that he did not have full knowledge of all of the Honda plants worldwide or know whether uniforms were required to be worn in all of them other than those plants located in the United States and Japan about which he had knowledge.

Yoshida denied having any knowledge about whether any scientific studies had been performed concerning the effect on production of wearing these uniforms.

Employees, including those in production areas, do wear with their uniforms such personal items as rings and watches. However, Yoshida, who wears a watch himself even in production areas, explained this depends upon the type of work in which the employees are involved. While they can wear them in areas where there is no possibility of damaging the products or parts, he indicated they would be prohibited from wearing them in areas such as the fuel tank, painting, detailing, subassembly of fuel tanks, and fairings.[4]

The rule does not bar the wearing of pocket savers. Employees in the plant wear pocket savers including those with a union emblem. This union pocket saver is plastic, white in color, and has a flap which folds over the cloth of the pocket to protect it. The flap contains a blue circular design approximately one-half inch in size with the letters "UAW" in the center of the circle with the name of the Union in small letters encircling the "UAW" and under the circle on the flap are the words "UAW Organizing Department." This union insignia and the wording are visible to other persons.

Notwithstanding the rule does not bar the wearing of pocket savers, Robert Mallow, who worked as a boiler operator under Foreman Fryman, was informed by Fryman in November 1979 to remove the union pocket saver he was wearing in the left jacket pocket of his uniform, which he did. The only reason given by Fryman

[4] This is a painted plastic part with a decal on it.

was that it would cause trouble.[5] Executive Vice President Yoshida at the hearing denied Fryman's action was in accord with the uniform rule.

Yoshida also acknowledged that wearing the union pocket savers by employees has not interfered with the concept of team work or the cleanliness aspect of the uniform policy. Upon being questioned about whether the union pocket savers interfered with the Honda quality image, Yoshida's response was it depends upon the individual but he personally felt they did not see any kind of different insignia than Honda in their plant when it was in operation. Yoshida acknowledged plant visitors had not made any comments to him about employees wearing union pocket savers.

Robert Mallow, who did not have direct contact with the product, testified that for about a year he wore in his uniform jacket pocket at work a plastic ballpoint pen and a pencil. The pen had an attached metal flange to hold it to the pocket and the pencil had a metal slipon type pencil holder with a three-fourth-inch circular design at the top for the same purpose. Both the pen and the pencil holder had "UAW" on them with the latter being visible to other persons while it was clipped on the pocket. Mallow also observed other employees wearing pens in their pockets with exposed metal flanges. Matthew Holtzapfel also stated he wore a union ball point pen in his pocket while at the plant without anything being said to him.

Yoshida, upon being asked whether the rule would prohibit the wearing of the metal pencil holder, stated once the supervisors realized it might create damage to the product those employees working in the areas who came in contact with the final assembled products or whether there was a possibility to scratch or damage the product would be prohibited from wearing them while those employees who did not have any contact with the assembled product or parts would not be prohibited. Yoshida also indicated the ballpoint pen with the metal flange would be permitted to be worn where there was no possibility to create scratches or to damage the products but added they thought this was a possibility where employees handled the fuel tanks, fairings, and on the final assembly line where those parts are handled. Yoshida denied his opposition to wearing them was because of the union emblem but stated he was opposed only because they were metal.

Employees who worked in the maintenance department wore company issued utility belts with tool pouches. This pouch is approximately 8 by 10 inches in dimension, 1-1/2 inches thick, and is made of leather. It has a leather loop in the front with exposed rounded metal rivets on the front and back and a metal tape holder is suspended from the pouch. The pouch is worn suspended from the leather belt which has a metal buckle and there is also a metal tape holder suspended from the belt.

Robert Mallow stated while working in the maintenance department he wore a tool pouch containing exposed metal tools including pipe wrenches, tape measures, screwdrivers, small ballpen hammer, and Allen wrenches. Mallow acknowledged while wearing the utility belt and pouch he did not have contact with the products although he was around the assembly area and the paint department area.

According to Yoshida the maintenance employees wear these utility belts and pouches in production areas as long as they do not cause any damage or scratches to the products.

Although Matthew Holtzapfel and Robert Mallow both testified they previously wore their own personal belts with exposed metal buckles at work they acknowledged the jacket normally covered the belt area. Both denied they were ever told they had to wear a company belt.

C. *The Hat Removal Incident*

Matthew Holtzapfel was employed by the Respondent as a boiler operator and worked under the supervision of Foreman Fryman.

His union activities included attending meetings with the Union's representatives, obtaining authorization cards for employees to sign as well as union literature which he read or gave to other employees to read. Holtzapfel also obtained a hat from the Union's representatives. This hat (herein referred to as the UAW hat) is similar in design to the Honda hat. It is a baseball type cap with a visor. The side and back portions are made of a blue knitted material and in the front above the blue visor there is a triangular shaped piece of white cloth with a blue union emblem. The emblem is circular shaped, approximately 2-3/4 inches in size, and contains the letters "UAW" which are a little over one-half inch in height in the center of the circle with the name of the Union printed in small letters in a circle around the "UAW."

On May 16 Holtzapfel, who had never worn a Honda hat, wore the UAW hat to work with his uniform consisting of the company pants and jacket. After punching in he reported to the maintenance department where he was assigned at the time and attended a meeting held by Foreman Fryman during which he wore the UAW hat. Upon leaving to go to his work station Fryman requested him to take the UAW hat off. After questioning Fryman about whether he knew that under the law he was allowed to wear the hat, Fryman informed him he did but again asked him to take the hat off. Holtzapfel then removed the hat and put it in the storage locker in the maintenance department. During the lunch period[6] that day Holtzapfel got the UAW hat and proceeded towards the cafeteria. En route to the cafeteria Manufacturing Manager Muth observed him with the UAW hat as he was entering the employee locker room to get his lunch. Upon his exiting the locker room with his lunch to go into the cafeteria Muth said, "Not here, Matt," referring to the UAW hat. He then told Muth he knew of other employees in the plant who had hats and were wearing them[7] and he felt the Union was coming into

[5] This finding is based on the undisputed testimony of Mallow which I credit.

[6] Holtzapfel, while working as a maintenance employee, was not paid for the lunch period.

[7] There was no evidence to show employees were allowed to wear hats in the plant other than Honda hats.

the plant. Muth then asked him to take the hat off. After explaining to Muth that under the law he was allowed to wear a hat with a union emblem, Muth informed him that he knew of the laws but wanted him to take the hat off. He again explained the law to Muth; whereupon, Muth repeated he still wanted the hat off. Upon asking Muth if he was telling him to take the hat off, Muth replied, "Yes." Holtzapfel then removed the hat and put it in his locker and has not worn it since.

Later that same day Manufacturing Manager Muth paged Holtzapfel to come to the office, which he did, where Muth and Personnel Associate Relations Manager Kinzer were present. Kinzer told Holtzapfel they wanted him to know they were not infringing on his rights, referring to Muth having told him to take the hat off. Holtzapfel, who had a booklet with him containing laws about things to do and not to do in a union organizing campaign, read them a statement from it about employees being allowed to wear hats, buttons, badges, and different union paraphernalia. However, neither Muth nor Kinzer responded. Holtzapfel then told Kinzer that he basically judged himself not to be a prounion person but mentioned they had some grievances and problems which had been brought to management without anything being done and he felt if some things had not changed a union was evident in the plant. During the conversation Muth mentioned a welder had been wearing another kind of hat in the plant which he had also taken from the welder and had given him a Honda hat. They told Holtzapfel if he wanted to wear a hat they would furnish him a Honda hat.[8]

Executive Vice President Yoshida, who stated he thought wearing a UAW hat in the plant as opposed to the Honda hat would deteriorate the team work concept, explained if an employee wore a hat other than the Honda hat they believed it did not create a good image of the Honda team. However, he acknowledged he did not think any scientific studies had been performed to determine what effect it would have on team work if employees wore UAW hats as opposed to Honda hats.

Upon being questioned about whether it would be permissible for an employee to wear a UAW hat in the cafeteria, Yoshida's response was they wanted to be consistent in the plant and they would ask the employee not to wear any hats other than the Honda hat in the cafeteria. Although he said they realized the rule said employees had the right to wear any kind of thing during their lunch period, Yoshida acknowledged they might ask employees to take off their hats in the cafeteria if they were not Honda hats and they would guide employees to wear Honda hats. Yoshida also stated employees on break periods, which mainly take place on the production floor, would also be asked to wear a Honda hat if they wanted to wear a hat and if they wore a UAW hat they would be asked to remove it.

[8] Holtzapfel's conversations with Foreman Fryman, Manufacturing Manager Muth, and Personnel Associate Relations Manager Kinzer on May 16 are based on the undisputed testimony of Holtzapfel, which I credit.

D. *Analysis and Conclusions*

Both the General Counsel and the Union contended that the Respondent violated Section 8(a)(1) of the Act by maintaining an unlawful rule concerning the wearing of uniforms and unlawfully enforced said rule[9] selectively and disparately against an employee for wearing a UAW hat during working and nonworking time. The Respondent denies such contentions and asserts its uniform policy is lawful. Those grounds argued in its brief in support of its lawfulness for the rule are the policy and has been in effect since the Respondent began hiring employees; it was adopted for a nondiscriminatory purpose; no history of union animus; the policy does not prohibit the display of union insignia, but only regulates the manner of such display; and the existence of special circumstances for the policy. The special circumstances referred to are defined as "the maintenance and integrity of its general labor relations and management philosophy."

Section 8(a)(1) of the Act prohibits an employer from interfering with, restraining, or coercing its employees in the exercise of their rights guaranteed in Section 7 of the Act.

Upon examining the uniform rule in issue here, which the findings, *supra*, establish has been in effect at the plant since the Respondent began hiring employees in April 1979, it requires employees to wear uniforms at all times while in the plant during working time and prohibits their having on the uniforms exposed items, such as, but not limited to, buttons, snaps, zippers, pins, and belt buckles. Further, under the rule as interpreted by Executive Vice President Yoshida, who formulated it, no adornments are allowed to be added to the uniforms.

The term "working time" in certain plant rules as the Board has held is reasonably susceptible to an interpretation by employees that they are prohibited from engaging in protected activity during periods of the workday when they are not working, such as their meal and break periods. *T.R.W. Bearings Division, a Division of T.R.W., Inc.*, 257 NLRB 442 (1981). Not only is the rule in the instant case couched in terms of "working time" but Executive Vice President Yoshida acknowledged it applies to employees' lunch and break periods.

Such rule on its face, contrary to the Respondent's position, makes no allowances for and by its terms would in effect prohibit the wearing by employees of union buttons and insignia on their uniforms.

While the rule itself lists as reasons for its justification the protection of the quality of its products; maintaining a clean and safe place to work; and projecting a favorable image of cleanliness to visitors at the plant, the findings *supra*, not only fail to support but tend to refute the validity of such reasons contained within the rule. For example, all of the employees do not either work directly with or have contact with the products or parts where they could scratch or cause damage to them. Employees in the plant while in uniform wear watches and rings. On

[9] Since this rule was promulgated more than 6 months preceding the filing of the charge in the instant case, Sec. 10(b) of the Act precludes finding the promulgation of the rule to also be unlawful as alleged.

their uniforms they wear such items as pocket savers containing visible emblems including the Union's emblem, ballpoint pens and pencils with slipon type pencil holders, both of which contain exposed metal flanges and the letters "UAW" on them with the "UAW" on the pencil holder being visible to other persons. Maintenance employees also wear company issued utility belts with metal buckles and tool pouches containing exposed metal rivets on the pouches and in which exposed metal tools and tape holders are carried. Admittedly, no scientific studies have been conducted concerning the effect of the rule on production. Further, the plant employees themselves have no direct dealings with customers or the public. The only contact they would have is when visitors to the plant might happen to observe them there.

Yoshida, who claimed an additional reason for the rule was to help create team work, acknowledged that employees by wearing pocket savers had not interfered with the team work concept or the cleanliness aspect of the rule and that he was not aware of any comments being made by the visitors to the plant who may have observed employees wearing them.

The right of employees to wear union insignia at work is a protected activity under the Act. *Republic Aviation Corporation* v. *N.L.R.B.*, 324 U.S. 793 (1945). Absent "special circumstances" a rule prohibiting employees from wearing union insignia at work violates Section 8(a)(1) of the Act. Employees' contacts with customers has been held not to constitute such "special circumstances" as to deprive employees of that right. *Floridan Hotel of Tampa, Inc.*, 137 NLRB 1484 (1962), enfd. as modified 318 F.2d 545 (5th Cir. 1963). Nor does the fact that the rule relates to wearing of uniforms and is promulgated prior to the advent of employees' union activities afford a defense. *Consolidated Casinos Corp. Sahara Division*, 164 NLRB 950 (1967).

Insofar as the Respondent urges the existence of a special circumstance, i.e., the maintenance and integrity of its general labor relations and management philosophy to justify its rule, it presented no probative evidence to show maintenance of the rule is essential to those purposes. Rather, the absence as here of any adverse reaction to Respondent's labor relations and management philosophy by allowing employees as herein found to wear on their uniforms pocket savers, ballpoint pens, and pencils with slipon type pencil holders containing emblems, including the Union's emblem, as well as exposed metal flanges, detracts from the validity of such assertion. Accordingly, I find the Respondent has failed to establish the existence of a "special circumstance" sufficient to legally justify its broad rule.

Based on the foregoing evidence and for the reasons indicated and having rejected the Respondent's defense, I am persuaded and find the Respondent's broad uniform rule would in effect deprive its employees of their lawful right to wear union buttons and insignia, and the Respondent by maintaining such rule has thereby violated Section 8(a)(1) of the Act.

The remaining issue to be resolved is whether the uniform rule was selectively and disparately enforced against an employee for wearing a UAW hat. The evidence, *supra*, establishes on May 16, Matthew Holtzapfel both while working and during his lunchbreak was directed by Foreman Fryman and Manufacturing Manager Muth over his objections to remove the UAW hat he was wearing which he did. He was then informed by Personnel Associate Relations Manager Kinzer they were not infringing on his rights by having him remove the UAW hat but was told by Kinzer and Muth if he wanted to wear a hat they would furnish him with a Honda hat.

Employees are not required under the uniform rule to wear hats. Executive Vice President Yoshida's opinion that the wearing of the UAW hat as opposed to a Honda hat by an employee would deteriorate the team work concept was not supported by any probative evidence and he acknowledged that he was not aware of any scientific studies conducted to determine such effect.

Since employees, notwithstanding the uniform rule, were permitted to wear certain items containing emblems on their uniforms as herein found and the rule did not require employees to wear hats, I am persuaded and find that the Respondent selectively and disparately enforced its uniform rule against Holtzapfel by requiring him to remove his UAW hat, which was similar in design to the Honda hat and was not shown to be provocative or offensive, and Respondent thereby violated Section 8(a)(1) of the Act.

IV. THE EFFECT OF THE UNFAIR LABOR PRACTICES UPON COMMERCE

The activities of the Respondent set forth in section III, above, found to constitute unfair labor practices occuring in connection with the operations of the Respondent, described in section I, above, have a close, intimate, and substantial relationship to trade, traffic, and commerce among the several States and tend to lead to labor disputes burdening and obstructing commerce and the free flow thereof.

CONCLUSIONS OF LAW

1. Honda of America Mfg., Inc., is an employer engaged in commerce within the meaning of Section 2(6) and (7) of the Act.

2. International Union, United Automobile, Aerospace and Agricultural Implement Workers of America (UAW), is a labor organization within the meaning of Section 2(5) of the Act.

3. By maintaining a rule concerning the wearing of uniforms which would prohibit its employees from wearing union buttons and insignia; and by selectively and disparately enforcing its uniform rule against an employee by requiring said employee not to wear a UAW hat, the Respondent has interfered with, restrained, and coerced its employees in the exercise of their rights guaranteed them by Section 7 of the Act and has engaged in unfair labor practices within the meaning of Section 8(a)(1) of the Act.

4. The aforesaid unfair labor practices affect commerce within the meaning of Section 2(6) and (7) of the Act.

THE REMEDY

Having found that the Respondent has engaged in certain unfair labor practices within the meaning of Section 8(a)(1) of the Act, I shall recommend that it cease and desist therefrom and take certain affirmative action to effectuate the policies of the Act.

Upon the foregoing findings of fact, conclusions of law, and the entire record and pursuant to Section 10(c) of the Act, I hereby issue the following recommended:

ORDER[10]

The Respondent, Honda of America Mfg., Inc., Marysville, Ohio, its officers, agents, successors, and assigns, shall:

1. Cease and desist from:

(a) Maintaining a rule which would prohibit its employees from wearing union buttons and insignia.

(b) Selectively and disparately enforcing its uniform rule against employees by requiring them not to wear UAW hats.

(c) In any like or related manner interfering with, restraining, or coercing its employees in the exercise of their right to self-organization, to form, join, or assist the International Union, United Automobile, Aerospace and Agricultural Implement Workers of America (UAW), or any other labor organization, to bargain collectively through representatives of their own choosing, and to engage in concerted activities for the purpose of collective bargaining or other mutual aid or protection or to refrain from any or all such activities, except to the extent that such rights may be affected by an agreement requiring membership in a labor organization as a condition of employment as authorized in Section 8(a)(3) of the National Labor Relations Act, as amended.

2. Take the following affirmative action necessary to effectuate the policies of the Act:

Post at its Marysville, Ohio, facility copies of the attached notice marked "Appendix."[11] Copies of said notice, on forms provided by the Regional Director for Region 8, after being duly signed by Respondent's authorized representative, shall be posted by the Respondent immediately upon receipt thereof, and be maintained by it for 60 consecutive days thereafter, in conspicuous places, including all places where notices to employees are customarily posted. Reasonable steps shall be taken by the Respondent to insure that said notices are not altered, defaced, or covered by any other material.

(b) Notify the Regional Director for Region 8, in writing, within 20 days from the date of this Order, what steps the Respondent has taken to comply herewith.

IT IS FURTHER ORDERED that the amended complaint be, and it hereby is, dismissed insofar as it alleges unfair labor practices not specifically found herein.

APPENDIX

NOTICE TO EMPLOYEES
POSTED BY ORDER OF THE
NATIONAL LABOR RELATIONS BOARD
An Agency of the United States Government

WE WILL NOT maintain a rule which would prohibit our employees from wearing union buttons and insignia.

WE WILL NOT selectively and disparately enforce our uniform rule against our employees by requiring them not to wear UAW hats.

WE WILL NOT in any like or related manner interfere with, restrain, or coerce our employees in the exercise of their right to self-organization, to form, join, or assist the International Union, United Automobile, Aerospace and Agricultural Implement Workers of America (UAW), or any other labor organization, to bargain collectively through representatives of their own choosing, and to engage in concerted activities for the purpose of collective bargaining or other mutual aid or protection or to refrain from any or all such activities except to the extent that such rights may be affected by an agreement requiring membership in a labor organization as a condition or employment as authorized in Section 8(a)(3) of the National Labor Relations Act, as amended.

HONDA OF AMERICA MFG., INC.

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[10] In the event no exceptions are filed as provided by Sec. 102.46 of the Rules and Regulations of the National Labor Relations Board, the findings, conclusions, and recommended Order herein shall, as provided in Sec. 102.48 of the Rules and Regulations, be adopted by the Board and become its findings, conclusions, and Order, and all objections thereto shall be deemed waived for all purposes.

[11] In the event that this Order is enforced by a Judgment of a United States Court of Appeals, the words in the notice reading "Posted by Order of the National Labor Relations Board" shall read "Posted Pursuant to a Judgment of the United States Court of Appeals Enforcing an Order of the National Labor Relations Board."